

22 DEC 2005



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In re Application of	:	
ASBURY et al.	:	
Application No.: 10/537,332	:	DECISION ON PETITION
PCT No.: PCT/US03/38042	:	UNDER 37 CFR 1.47(a)
Int. Filing: 02 December 2003	:	
Priority Date: 02 December 2002	:	
Attorney Docket No.: 209546-98124	:	
For: LAMINATED HEADLINER ASSEMBLY	:	
AND METHOD FOR FORMING A	:	
LIGHTWEIGHT LAMINATED	:	
HEADLINER	:	

This decision is in response to applicants' "Petition By Joint Inventor Filing on Behalf of Other Joint Inventor Who Refuses to Join in Application of Cannot Be Reached under 37 CFR 1.47(a)" filed 02 June 2005 to accept the application without the signature of joint inventor, Janusz Gorowicz. The \$200 petition fee has been submitted.

BACKGROUND

On 02 December 2003, applicants filed international application PCT/US03/38042, which claimed a priority date 02 December 2002. Pursuant to 37 CFR 1.495, the period for paying the basic national fee in the United States expired 30 months from the priority date, 02 June 2005.

On 02 June 2005, applicants filed a transmittal for entry into the national stage in the United States, which accompanied by, inter alia: the requisite basic national fee as required by 35 U.S.C. 371(c)(1); a copy of the international application; an executed declaration, and the present petition under 37 CFR 1.47(a).

DISCUSSION

A petition under 37 CFR 1.47(a) must be accompanied by (1) the fee under 37 CFR 1.17(h), (2) factual proof that the missing joint inventor refuses to execute the application or cannot be reached after diligent effort, (3) a statement of the last known address of the missing inventor, and (4) an oath or declaration by each 37 CFR 1.47(a) applicant on his or her own behalf and behalf of the non-signing joint inventor. Items (1) - (4) have been satisfied.

A review of the present petition and the accompanying papers reveal that applicants have satisfied item (2), in that, the applicants have shown that a bona fide attempt was made to present the application papers, including the specification, claims, and drawings to Janusz Gorowicz. The steps taken by Julie Barber are sufficient to show that the missing inventor, Janusz Gorowicz, could not be found or reached after diligent effort.

CONCLUSION

For the reasons above, applicants' petition under 37 CFR 1.47(a) is GRANTED.

The application has an international filing date of 02 December 2003 under 35 U.S.C. 363, and will be given a date of 02 June 2005 under 35 U.S.C. 371(c)(1), (c)(2) and (c)(4).

As provided in 37 CFR 1.47(a), a notice of the filing of this application will be forwarded to the non-signing inventor at his last known address of record.

A notice of the filing of the application under 37 CFR 1.47(a) will be published in the Official Gazette.



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In re Application of
ASBURY et al.
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For: LAMINATED HEADLINER ASSEMBLY AND METHOD FOR FORMING A
LIGHTWEIGHT LAMINATED HEADLINER

Dear Janusz Gorowicz:

You are named as an inventor in the above identified United States patent application, filed under the provisions of 37 CFR 1.47(a) and 35 U.S.C. 116. Should a patent be granted, you will be designated as an inventor.

As a named inventor, you are entitled to inspect any paper in the file wrapper of the application, order copies of all or any part thereof (at a prepaid cost per 37 CFR 1.19) or to make your position of record in the application. Alternatively, you may arrange to do any of the preceding through a registered patent agent or attorney presenting written authorization from you. If you care to join in the application, counsel of record (see below) would presumably assist you. Joining in the application would entail the filing of an appropriate oath or declaration by you pursuant to 37 CFR 1.63.

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